AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

1.   (Currently Amended) An image recording apparatus for encoding a moving image and recording the encoded moving image in compliance with a predetermined standard, the image recording apparatus comprising:

a processor; and

a memory storing a set of instructions executable by the processor, the instructions comprising:

aspect ratio setting unit ~~means~~ for setting a first or second aspect ratio as an aspect ratio for encoding a moving image to be input, in accordance with an operation performed by a user;

recording mode setting unit ~~means~~ for setting a recording mode for encoding the moving image in accordance with an operation performed by a user, the recording mode being concerned with a bit rate and a resolution;

decision making unit ~~means~~ for setting a first or second resolution as a resolution for encoding the moving image in accordance with a combination of the aspect ratio and the recording mode; and

encoding unit ~~means~~ for encoding the moving image at the resolution having been set by the decision making unit ~~means~~,

wherein the decision making unit ~~means~~ sets the first resolution as a resolution for encoding the moving image irrespective of the recording mode having been set when the aspect ratio is set to the first aspect ratio.

2.   (Currently Amended) The image recording apparatus according to Claim 1, wherein the decision making unit ~~means~~ sets a horizontal resolution of 720 or 704 for encoding the moving image irrespective of the recording mode having been set in a case where the aspect ratio having been set is 16:9.

3.   (Currently Amended) The image recording apparatus according to Claim 1,

wherein the predetermined standard is determined on the basis of information on a recording medium on which the moving image having been encoded by the encoding unit ~~means~~ is recorded, and

wherein the decision making unit ~~means~~ sets the first or second resolution as a resolution for encoding the moving image corresponding to the recording mode having been set irrespective of the aspect ratio having been set in a case where the predetermined standard having been determined is the DVD-VR standard.

4.   (Currently Amended) The image recording apparatus according to Claim 1, wherein the instructions further comprise ~~comprising~~:

detecting unit ~~means~~ for detecting an aspect ratio of a moving image having been input,

wherein the decision making unit ~~means~~ sets the first or second resolution as a resolution for encoding the moving image in accordance with a combination of the aspect ratio having been detected or set and the recording mode.

5.   (Currently Amended) An image recording method of an image recording apparatus for encoding a moving image and recording the encoded moving image in compliance with a predetermined standard, the image recording apparatus including,

aspect ratio setting unit means for setting a first or second aspect ratio as an aspect ratio for encoding a moving image to be input, in accordance with an operation performed by a user, and

recording mode setting unit means for setting a recording mode for encoding the moving image in accordance with an operation performed by a user, the recording mode being concerned with a bit rate and a resolution,

the image recording method comprising:

setting a first or second resolution as a resolution for encoding the moving image in accordance with a combination of the aspect ratio and the recording mode; and

encoding the moving image at the resolution having been set in the decision making step,

wherein the first resolution is set as a resolution for encoding the moving image irrespective of the recording mode having been set when the aspect ratio is set to the first aspect ratio.

6.   (Currently Amended) A non-transitory computer-readable medium storing a program comprising including instructions for executing capable of being executed by a computer processor a method for controlling an image recording apparatus, the instructions method comprising:

setting a first or second aspect ratio as an aspect ratio for encoding a moving image to be input, in accordance with an operation performed by a user,

setting a recording mode for encoding the moving image in accordance with an operation performed by a user, the recording mode being concerned with a bit rate and a resolution,

setting a first or second resolution as a resolution for encoding the moving image in accordance with a combination of the aspect ratio and the recording mode; and

encoding the moving image at the resolution having been set in the decision making step,

wherein the first resolution is set as a resolution for encoding the moving image irrespective of the recording mode having been set when the aspect ratio is set to the first aspect ratio.